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ABSTRACT

In November 1990, the Students' Right to Know and Campus Security Act became law, requiring all postsecondary institutions that receive federal student aid to collect campus crime statistics and make timely reports to the campus community on crimes that are considered a threat to other students and other employees. The law also requires that institutions distribute an annual crime and security policies report to all current students and employees, and make the report available to prospective students and employees. College and university units involved in complying with the law are financial aid, student affairs, Greek affairs (off-campus student organizations), admissions, personnel, housing, residence life, public information, legal counsel, security/police, athletics, and registrar's office. Each unit has separate reporting responsibilities. Crimes to be reported include murder, rape, robbery, aggravated assault, burglary, motor vehicle theft, and hate crimes; arrests to be reported include liquor law violations, drug abuse violations, and weapons possessions. Crime and arrest statistics, compiled for the school year, must be reported by September 1, 1991. Currently, crimes are reported on a hierarchy basis, with only the most significant crime reported during a single incident; using the National Incident-Based Reporting System (NIBRS), all of the crimes which may be committed in a single incident are reported. Another possible change in crime statistics reporting may come with the passage of proposed amendment S.15, the Violence Against Women Act 1991, which would add "rape or sexual assault" to the list of crimes reported. Considerations in developing a campus law enforcement record-keeping system are suggested. Six resource lists are attached. (JMC)

ED345762

Campus Security Act

&

Students Right To Know

Speech Presented:
National Council of Community College Business Officials
Asheville, North Carolina
November 14, 1991

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JC920237

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ASHEVILLE, NORTH CAROLINA
NOVEMBER 14, 1991

CAMPUS SECURITY ACT

&

STUDENTS RIGHT TO KNOW

INTRODUCTIONS:

A. PERSONAL
B. EACH MEMBER
   DEPARTMENT / POSITION /
   FRUSTRATION

I HAD THE OPPORTUNITY LAST MONTH TO ATTEND A ONE DAY WORKSHOP ON CAMPUS SAFETY AND SECURITY AT THE UNIVERSITY OF TEXAS IN ARLINGTON. THE WORKSHOP WAS SPONSORED BY IACLEA AND NACAS.

MR. ROBERT MILLER, DIRECTOR OF PUBLIC SAFETY AT FURMAN UNIVERSITY GREENVILLE, SC. WAS THE GUEST SPEAKER. ROBERT HAS

DONE A CONSIDERABLE AMOUNT OF RESEARCH INTO THE NEW REGULATIONS AND WITH THE COOPERATION OF SEVERAL UNIVERSITIES AND AGENCIES HE HAS COMPILED COPIES OF SAFETY PROGRAMS AND POLICIES THAT ARE BEING USED BY COLLEGES AND UNIVERSITIES AROUND THE COUNTRY. ROBERT WAS KIND ENOUGH TO PROVIDE ME WITH THIS INFORMATION AND WE HAVE PUT TOGETHER A BOOKLET FOR YOUR USE. AT THE WORKSHOP THIS AFTERNOON WE WILL DISTRIBUTE THE BOOKLETS TO THOSE WHO WOULD LIKE TO HAVE ONE.

<u>BACKGROUND ON REGULATIONS:</u>

WE ARE HERE TODAY TO TALK ABOUT THE NEW REGULATIONS RELATING TO CRIME ON

OUR CAMPUSES.

A RECENT COMMENT MADE IN A NEWS LETTER FROM IACLEA STATED, "THAT CRIME ON AMERICA'S COLLEGE AND UNIVERSITIES, ESPECIALLY VIOLENT CRIMES HAS BEEN DESCRIBED AS ONE OF THE BEST KEPT SECRETS IN MODERN TIMES".

AS WE ALL KNOW THERE HAVE BEEN NUMEROUS LAW SUITS FILED AGAINST COLLEGES AND UNIVERSITIES WITH LARGE SETTLEMENTS INVOLVED. THESE SUITS WERE BROUGHT ABOUT DUE TO SEVERAL REASONS. AS AN EXAMPLE IN 1983 IN THE MULLINS VS. PINE MANOR COLLEGE, THE SUPREME JUDICIAL COURT OF MASSACHUSETTS FOUND THE COLLEGE LIABLE FOR THE RAPE OF A STUDENT WHO WAS ABDUCTED FROM HER DORM. ACCORDING TO THE COURT:

*THE COLLEGE HAS A DUTY TO PROVIDE SECURITY FOR ITS STUDENTS

*THE EVIDENCE WAS SUFFICIENT TO SUSTAIN THE COLLEGE WAS NEGLIGENT IN PERFORMING THAT DUTY AND THAT THE NEGLIGENCE WAS THE PROXIMATE CAUSE OF THE STUDENTS INJURY

JUST TO GIVE YOU AN IDEA WHAT COLLEGES AND UNIVERSITY'S CAN BE SUED FOR:

*FAILURE TO PROVIDE REASONABLE SECURITY

*

INSUFFICIENT TRAINING OF PERSONNEL

*

INADEQUATE LIGHTING

*

FAILURE TO MAINTAIN PROPER LANDSCAPING

*

FAILURE TO LIMIT ACCESS

*

INSUFFICIENT SECURITY STAFF

*

FAILURE TO PERFORM A DUTY:

A COUPLE OF EXAMPLES MIGHT BE:

A. FAILURE TO LOCK A BUILDING ON SCHEDULE

B. INSUFFICIENT INVESTGATION INTO AN INCIDENT.

CAMPUS CRIMES HAVE RECEIVED A

CONSIDERABLE AMOUNT OF ATTENTION IN THE MEDIA AND CONGRESS.

THE INCIDENT THAT HAS HAD THE GREATEST IMPACT ON BOTH PRIVATE AND STATE UNIVERSITIES, WAS AT LEHIGH UNIVERSITY IN PENNSYLVANIA IN 1986. JEANNE ANN CLEARY A 19 YEAR OLD STUDENT WAS BEATEN, SEXUALLY ASSAULTED AND STRANGLED AFTER SHE CAME UPON JOSEPH HENRY, ALSO A STUDENT, WHO WAS BURGLARIZING HER ROOM. THE DOORS TO HER DORM HAD AUTOMATIC LOCKS AND DOOR CLOSURES. HOWEVER, SOMEONE HAD PROPPED THE DOOR OPEN THE NIGHT OF THE INCIDENT. HENRY, WHOM SCHOOL OFFICIALS SAID HAD A RECORD OF DISCIPLINARY PROBLEMS WAS LATER CONVICTED OF MURDER AND WAS SENTENCED TO DEATH.

THROUGH THE EFFORTS OF MR. AND MRS.

HOWARD CLEARY LEGISLATION WAS PASSED IN PENNSYLVANIA THAT REQUIRED ALL STATE INSTITUTIONS OF HIGHER EDUCATION IN THE COMMONWEALTH, PUBLIC OR PRIVATE, TO REPORT CAMPUS CRIME STATISTICS TO THE PENNSYLVANIA STATE POLICE AND TO PROVIDE INFORMATION ON CRIME, CRIME RATES, SELECTED SECURITY POLICIES AND PROCEDURES TO ALL STUDENTS AND EMPLOYEES AND TO ALL APPLICANTS FOR ENROLLMENT OR EMPLOYMENT.

SINCE THE PASSAGE OF THIS LEGISLATION THERE HAVE BEEN SEVERAL CHANGES MADE WITHIN THE STATE OF PENNSYLVANIA AND ALSO SEVERAL OTHER STATES HAVE PASSED SIMILAR LEGISLATION BUT AS YOU KNOW EACH STATE VARIED CONSIDERABLY.

IN NOVEMBER 1990, PRESIDENT BUSH SIGNED

INTO LAW PUBLIC LAW 101-542 THE STUDENTS RIGHT TO KNOW AND CAMPUS SECURITY ACT. THIS LAW APPLIES TO ALL INSTITUTIONS OF POST-SECONDARY EDUCATION THAT RECEIVE FEDERAL STUDENT AID.

(THEY ALWAYS TIE EVERY THING TO MONEY TO GET EVERYONE TO COMPLY)

COMPLIANCE TIMETABLE:

AUGUST 1, 1991 -=-EACH INSTITUTION MUST:

BEGIN COLLECTING INFORMATION CONCERNING CAMPUS STATISTICS AND CAMPUS SECURITY POLICIES.

BEGIN MAKING TIMELY REPORTS TO THE CAMPUS COMMUNITY ON CRIMES THAT ARE REPORTED TO CAMPUS SECURITY

OR LOCAL LAW ENFORCEMENT AGENCIES AND ARE CONSIDERED TO BE A THREAT TO OTHER STUDENTS AND EMPLOYEES IN A MANNER WHICH WILL AID IN PREVENTION OF SIMILAR OCCURRENCES.

SEPTEMBER 1, 1992-=-EACH INSTITUTION MUST:

PUBLISH AND DISTRIBUTE TO ALL CURRENT STUDENTS AND EMPLOYEES AN ANNUAL REPORT OF CAMPUS SECURITY POLICIES AND CRIME STATISTICS.

PROVIDE THE SAME REPORT TO ANY APPLICANT FOR ENROLLMENT OR EMPLOYMENT UPON REQUEST.

SUBMIT A COPY OF THE ANNUAL REPORT OF CAMPUS CRIME STATISTICS TO THE SECRETARY OF EDUCATION UPON REQUEST.

FOR THE PURPOSES OF THE ACT, THE CAMPUS IS DEFINED AS:

ANY BUILDING OR PROPERTY OWNED OR CONTROLLED BY THE INSTITUTION OF HIGHER EDUCATION WITHIN THE SAME REASONABLE CONTIGUOUS AREA AND USED BY THE INSTITUTION IN DIRECT SUPPORT OF , OR RELATED TO EDUCATIONAL PURPOSES; OR ANY BUILDING OR PROPERTY OWNED OR CONTROLLED BY STUDENT ORGANI-ZATIONS RECOGNIZED BY THE INSTITUTION.

DISCLOSURE OF SECURITY POLICIES AND

PROCEDURES:

THE LAW REQUIRES THAT SECURITY PROVIDE IN THEIR REPORT:

A. A POLICY FOR REPORTING CRIMINAL ACTIONS AND OTHER EMERGENCIES AND WHAT HAPPENS TO THESE COMPLAINTS.

B. A POLICY FOR SECURITY OF AND ACCESS TO CAMPUS FACILITIES MUST BE DEVELOPED.

C. AN EXPLANATION OF THE OPERA TIONS OF THE CAMPUS LAW EN FORCEMENT/ SECURITY DEPART MENT.

D. A POLICY STATEMENT ON CRIME PREVENTION PROGRAMS.

E. A POLICY ON MONITORING AND REPORTING CRIMINAL ACTIVITIES ON CAMPUS AND OFF CAMPUS.

F. A POLICY STATEMENT ON ALCOHOL POSSESSION, USE AND SALE AS WELL AS ENFORCEMENT AND EDUCATION EFFORTS AND A POLICY STATEMENT ON ILLEGAL DRUG POSSESSION, USE AND SALE, AND EDUCATION PROGRAMMING.

THE ACT NOT ONLY PLACES ADDITIONAL REQUIREMENTS ON SECURITY, IT ALSO AFFECTS SPECIFIC ADMINISTRATIVE UNITS WITHIN THE COLLEGE ORGANIZATIONAL STRUCTURE. FOLLOWING IS A LIST OF UNITS THAT WILL BE REQUIRED TO COMPLY WITH THIS

LAW WITH A BRIEF DESCRIPTION ON THEIR RESPONSIBILITIES:

FINANCIAL AID	(CERTIFICATION OF COMPLIANCE) (SECRETARY OF US DEPARTMENT OF EDUCATION SENDS MATERIAL TO THIS OFFICE & CEO)
STUDENT AFFAIRS	DETERMINATION OF POLICY REGARDING DISCLOSURE OF DISCI-PLINARY INFORMATION TO VICTIMS OF VIOLENT CRIME
GREEK AFFAIRS	DETERMINATION OF POLICY REGARDING INSTITUTIONAL "RECOGNITION" OF OFF

CAMPUS STUDENT ORGANIZATIONS ENCOURAGEMENT OF STUDENTS RESIDING AT RECOGNIZED OFF CAMPUS ORGANIZATIONS TO REPORT CRIME TO CAMPUS AUTHORITIES AS WELL AS LOCAL POLICE.

ADMISSIONS: DISCLOSURE OF INFORMATION CONTAINED IN THE ANNUAL REPORT TO APPLICANTS FOR ENROLLMENT UPON REQUEST

PERSONNEL: DISCLOSURE OF INFORMATION CONTAINED IN THE ANNUAL REPORT TO APPLICANTS FOR EMPLOYMENT UPON REQUEST AND ALL CURRENT EMPLOYEES

HOUSING: DEVELOPMENT OF POLICY STATEMENT CONCERNING SECURITY CONSIDERATIONS IN THE MAINTENANCE OF CAMPUS FACILITIES.

RESIDENCE LIFE: DESCRIPTION OF TYPE AND FREQUENCY OF PROGRAMS DESIGNED TO INFORM RESIDENT STUDENTS ABOUT CAMPUS SECURITY PROCEDURES AND PRACTICES AND TO ENCOURAGE STUDENTS TO BE RESPONSIBLE FOR THEIR SECURITY AND THE SECURITY OF OTHERS.

PUBLIC INFORMATION:

PUBLICATION ASSISTANCE AND DISTRIBUTION OF ANNUAL REPORT TO ALL STUDENTS AND EMPLOYEES DISSEMINATION TO THE CAMPUS COMMUNITY OF TIMELY REPORTS OF CRIMES CONSIDERED TO BE A THREAT TO OTHER STUDENTS AND EMPLOYEES IN A MANNER WHICH AID IN THE PREVENTION OF SIMILAR OCCURRENCES

LEGAL COUNSEL: REVIEW OF POLICY STATEMENTS AND IN PARTICULAR, STRATEGIES FOR PROVIDING "TIMELY

NOTICE" CRIME PREVENTION
TO WARNINGS TO THE
CAMPUS COMMUNITY.

SECURITY / POLICE:

NEGOTIATION WITH LOCAL
POLICE TO OBTAIN INFORMATION
CONCERNING CRIMES
WHICH ARE REPORTED AT
OFF CAMPUS STUDENT
ORGANIZATIONS(WHICH ARE
NOT INCLUDED IN THE
INSTITUTIONS ANNUAL
REPORT) AND OTHER OFF
CAMPUS CRIMES WHICH
MAY BE A CONSIDERED TO
POSE A THREAT TO
STUDENTS AND EMPLOYEES
AND ARE THEREFORE
SUBJECT TO THE "TIMELY

NOTICE" CRIME PREVENTION PROVISION OF THIS ACT.

COMPILATION OF THE CAMPUS CRIME STATISTICS TO BE INCLUDED IN THE ANNUAL REPORT

PROVIDE TECHNICAL ADVICE TO ALL OTHER AFFECTED UNITS AND APPROPRIATE ADMINISTRATORS.

ATHLETIC DEPARTMENT: REQUIREMENTS ON REPORTING GRADUATION RATES OF ATHLETES

REGISTRAR'S OFFICE: GRADUATION RATES

THE LAW HAS AFFECTED TO SOME EXTENT THE CAMPUS SECURITY PROGRAMS OF EVERY POST SECONDARY INSTITUTIONS IN THE NATION. THOSE INSTITUTIONS THAT HAVE DONE NOTHING IN THE WAY OF DOCUMENTING AND REPORTING CRIMINAL OFFENSES WILL BE REQUIRED TO DEVELOP A RECORD KEEPING SYSTEM, CRIME PREVENTION PROGRAMS WHICH WILL INSURE THAT STUDENTS AND OTHER MEMBERS OF THE CAMPUS COMMUNITY RECEIVE "TIMELY" NOTICE OF INCIDENTS WHICH MAY POSE A RISK TO THEIR SAFETY WILL NEED TO BE IMPLEMENTED.

COLLEGES AND UNIVERSITIES THAT CURRENTLY HAVE SYSTEMS IN PLACE WILL NEED TO REVIEW AND REVISE THEM TO INSURE THEY ARE MEETING ALL OF THE REQUIREMENTS.

ONE THING NICE ABOUT THE NEW REGULATIONS IS THEY ARE LEAVING THE REPORTING FORMATS WE USE UP TO US AS LONG AS ALL THE REQUIREMENTS ARE MET.

REPORTING REQUIREMENTS:

CRIMES TO BE REPORTED INCLUDE:

A. MURDER
B. RAPE
C. ROBBERY
D. AGGRAVATED ASSAULT
E. BURGLARY
D. MOTOR VEHICLE THEFT
E. HATE CRIMES

ARRESTS TO BE REPORTED:

A. LIQUOR LAW VIOLATIONS
B. DRUG ABUSE VIOLATIONS
C. WEAPONS POSSESSIONS

CRIMINAL OFFENSES AND CRIME ARREST STATISTICS MUST BE COMPILED ON THE BASIS OF THE "SCHOOL YEAR" AND MUST BE REPORTED FOR THE PREVIOUS TWO YEARS IF AVAILABLE--BUT AT A MINIMUM FOR THE PERIOD BEGINNING SEPTEMBER 1, 1991. EFFORTS ARE BEING MADE TO CHANGE THE REPORTING PERIOD TO BE ON A CALENDAR BASIS. I AM NOT AWARE OF WHAT PROGRESS HAS BEEN MADE ON THIS AS YET.

THE LAW DOES NOT REQUIRE EDUCATIONAL INSTITUTIONS TO PARTICIPATE IN THE UCR PROGRAM. HOWEVER IT DOES USE THE SAME DEFINITIONS.

*MURDER (AND NON-NEGLIGENT MANSLAUGHTER)

THE WILLFUL (NON-NEGLIGENT) KILLING OF ONE HUMAN BEING BY ANOTHER

FORCIBLE RAPE:

THE CARNAL KNOWLEDGE OF A PERSON FORCIBLY AND/OR AGAINST THAT PERSON'S WILL, OR NOT FORCIBLY OR AGAINST THE THE PERSON'S WILL WHERE THE VICTIM IS INCAPABLE OF GIVING CONSENT BECAUSE OF HIS /HER TEMPORARY OR PERMANENT MENTAL OR PHYSICAL INCAPACITY; OR AN ATTEMPT TO COMMIT RAPE BY FORCE OR THREAT OF FORCE.

*

ROBBERY:

THE TAKING OR ATTEMPTING TO TAKE, OF ANYTHING OF VALUE UNDER CONFRONTATIONAL CIRCUMSTANCES FROM THE CONTROL, CUSTODY OR CARE OF ANOTHER PERSON OR PERSONS BY FORCE OR THREAT OF FORCE OR VIOLENCE AND OR PUTTING

THE VICTIM IN FEAR OF IMMEDIATE HARM.

*

AGGRAVATED ASSAULT:

AN UNLAWFUL ATTACK BY ONE PERSON UPON ANOTHER WHEREIN THE OFFENDER USES A WEAPON OR DISPLAYS IT IN A THREATENING MANNER, OR THE VICTIM SUFFERS OBVIOUS SEVERE OR AGGRAVATED BODILY INJURY INVOLVING APPARENT BROKEN BONES, LOSS OF TEETH, POSSIBLE INTERNAL INJURY, SEVERE LACERATION, OR LOSS OF CONSCIOUSNESS --NOTE THAT AN (UNSUCCESSFUL ATTEMPT TO COMMIT MURDER WOULD BE CLASSIFIED AS AN AGGRAVATED ASSAULT.

*BURGLARY:

THE UNLAWFUL ENTRY INTO A BUILDING OR OTHER STRUCTURE WITH THE INTENT TO COMMIT A FELONY OR THEFT--NOTE THAT FORCED ENTRY IS NOT A REQUIRED ELEMENT OF THE OFFENSE, SO LONG AS THE ENTRY IS UNLAWFUL (CONSTITUTING A TRESPASS) IT MAY BE ACCOMPLISHED VIA AN UNLOCKED DOOR OR WINDOW-INCLUDED ARE UNSUCCESSFUL ATTEMPTS TO COMMIT BURGLARY WHERE THE PERPETRATOR IS FRIGHTENED OFF WHILE ENTERING A UNLOCKED DOOR OR CLIMBING THROUGH AN OPEN WINDOW.

MOTOR VEHICLE THEFT:

THE THEFT OR ATTEMPTED THEFT OF A MOTOR VEHICLE.

*

LIQUOR LAW VIOLATIONS:

VIOLATIONS OF THE LAWS OR ORDINANCES PROHIBITING THE MANUFACTURE, SALE, PURCHASE, TRANSPORTATION, POSSESSION OR USE OF ALCOHOLIC BEVERAGES(WITH THE EXCEPTION OF "DRIVING UNDER THE INFLUENCE" OR DRUNKENNESS")

*DRUG ABUSE VIOLATIONS:

VIOLATIONS OF LAWS PROHIBITING THE PRODUCTION, DISTRIBUTION, AND OR USE OF CERTAIN CONTROLLED SUBSTANCES AND THE EQUIPMENT OR DEVICES UTILIZED IN THEIR PREPARATION AND OR USE.

WEAPONS POSSESSION:

VIOLATIONS OF LAWS OR ORDINANCES PROHIBITING THE MANUFACTURE, SALE, PURCHASE,

TRANSPORTATION, POSSESSION, CONCEALMENT, OR USE OF FIREARMS, CUTTING INSTRUMENTS, EXPLOSIVES, INCENDIARY DEVICES, OR OTHER DEADLY WEAPONS.

HIERARCHY RULE:

*MURDER
*RAPE
*AGGRAVATED ASSAULT
BURGLARY
*LARCENY-THEFT
MOTOR VEHICLE THEFT
ARSON

UNDER THIS RULE, AN INCIDENT IN WHICH A BURGLAR ENTERED A RESIDENCE HALL ROOM, RAPED THE OCCUPANT, STOLE CASH, AND STARTED A FIRE IN AN EFFORT TO

DESTROY EVIDENCE WOULD BE REPORTED AS A SINGLE OFFENSE (RAPE)

HANDLING "UNFOUNDED " CRIME REPORTS:

A QUESTION OF SOME CONCERN TO INSTITUTIONAL ADMINISTRATORS IS HOW ONE HANDLES "UNFOUNDED" REPORTS OF CRIMINAL OFFENSES. IF THROUGH INVESTIGATION, IT IS DETERMINED BY A LAW ENFORCEMENT AGENCY THAT AN OFFENSE NEITHER OCCURRED NOR WAS ATTEMPTED, THAT REPORTED OFFENSE CAN BE "UNFOUNDED" FOR UCR PURPOSES AND DELETED FROM THE TALLY OF CAMPUS CRIMES WHICH MUST BE DISCLOSED IN AN INSTITUTIONS ANNUAL REPORT. IF AFTER INCLUDING AN OFFENSE IN

ONE ANNUAL REPORT, NEW INFORMATION IS DEVELOPED THROUGH INVESTIGATION WHICH SHOWS THAT THE OFFENSE DID NOT OCCUR, IT MAY BE DETERMINED TO BE "UNFOUNDED ", AND DELETED FROM SUBSEQUENT REPORTS. REMEMBER, HOWEVER THAT THE DETERMINATION THAT AN OFFENSE REPORT IS "UNFOUNDED" RESTS WITH THE INVESTIGATIVE AGENCY.

IT SHOULD NOT BE BASED ON THE DECISION OF JURY, JUDGE OR PROSECUTOR: THE FACT THAT STOLEN PROPERTY IS EVENTUALLY RECOVERED OR IS OF LITTLE VALUE, THE REFUSAL OF A VICTIM TO COOPERATE OR THE FAILURE OF

THE POLICE TO SOLVE THE CASE AND MAKE AN ARREST.

IMPACT OF THE HATE CRIME STATISTICS ACT:

ENACTED ON APRIL 23, 1991, PUBLIC LAW 101-275 PROVIDES FOR THE ACQUISITION AND PUBLICATION OF DATA ABOUT CRIMES THAT MANIFEST EVIDENCE OF PREJUDICE BASED ON RACE, RELIGION, SEXUAL ORIENTATION OR ETHNICITY. GUIDELINES CONCERNING THE IMPLEMENTATION OF THE LAW AS IT PERTAINS TO LAW ENFORCEMENT AGENCIES WHICH SUBMIT DATA TO THE UCR ARE FORTHCOMING FROM THE U.S. DEPARTMENT OF JUSTICE. THESE GUIDELINES WILL ESTABLISH THE CRITERIA TO BE USED TO ESTABLISH THE PRESENCE OF "MANIFEST PREJUDICE", BUT IT IS NOT ANTICIPATED THAT THEY WILL CREATE ANY NEW CATEGORIES OF CRIME. RATHER,

THERE WILL BE A PROCEDURE WHEREBY OFFENSES WHICH HAVE BEEN DETERMINED TO MANIFEST EVIDENCE OF PREJUDICE WILL SOMEHOW BE "FOOTNOTED" SO THAT THEY CAN BE TRACKED FOR STATISTICAL PURPOSES. THE PART I OFFENSES SUBJECT TO DISCLOSURE UNDER THE CRIME AWARENESS AND CAMPUS SECURITY ACT TO WHICH THIS LAW WOULD MOST PROBABLY APPLY WOULD BE MURDER, RAPE AND AGGRAVATED ASSAULT. SHOULD AN INSTITUTION CHOSE TO REPORT OFFENSE STATISTICS FOR ALL PART I CRIMES, IT MAY APPLY TO SOME CASES OF ARSON AS WELL.

<u>POTENTIAL IMPACT OF THE AMENDMENT PROPOSED S. 15, THE VIOLENCE AGAINST WOMEN ACT OF 1991:</u>

AS INTRODUCED ON JANUARY 14, BY SENATOR

JOHN BIDEN, S. 15 CONTAINS A SECTION ENTITLED "SAFE CAMPUSES FOR WOMEN". ONE OF THE PROVISIONS OF THIS SECTION WOULD AMEND THE CRIME AWARENESS AND CAMPUS SECURITY ACT OF 1990 TO MODIFY THE LIST OF CRIME STATISTICS WHICH MUST BE INCLUDED IN AN INSTITUTIONS ANNUAL REPORT TO INCLUDE "RAPE OR SEXUAL ASSAULT". THIS AMENDMENT WAS PRESUMABLY PROMPTED BY THE CRITICISM THAT THE REPORTING OF STATISTICS ON FORCIBLE RAPE DOES NOT GIVE A TRUE PICTURE OF THE CRIME SITUATION ON A COLLEGE OR UNIVERSITY CAMPUS BECAUSE OF THE FEELING THAT MANY SEXUAL OFFENSES OCCUR WHICH DO NOT MEET THE UCR DEFINITION OF FORCIBLE RAPE, AND THAT THE PRESENT LANGUAGE OF THE ACT ALLOWS THOSE OTHER CRIMES TO REMAIN "HIDDEN".

REGARDLESS OF THE SUCCESS WHICH S. 15

ACHIEVES IN CONGRESS, IT IS UNLIKELY THAT IT WILL BE THE LAST ATTEMPT TO BROADEN THE CRIME DISCLOSURE REQUIREMENT OF THE CRIME AWARENESS AND CAMPUS SECURITY ACT OF 1990. FOR THAT REASON AND SPECIFICALLY BECAUSE THE PROPOSED ADDITION OF "SEXUAL ASSAULT" WOULD ADD AN OFFENSE CATEGORY PRESENT CLASSIFIED WITHIN PART II OF THE UCR TO THE LIST OF CRIME STATISTICS WHICH ARE TO BE REPORTED ON THE BASIS OF OCCURRENCES RATHER THAN ARRESTS.

THOSE AGENCIES WITH AUTOMATED SYSTEMS MAY WANT TO CONSIDER GOING TO THE NATIONAL INCIDENT BASED REPORTING SYSTEM. RATHER THAN PROVIDING A "SUMMARY" (UCR) DESCRIPTION OF A CRIMINAL ACT BY REPORTING ONLY THE "HIGHEST RANKING" OFFENSE, NIBRS IS DESIGNED TO

REPORT ALL OF THE CRIMES WHICH MAY BE COMMITTED IN A SINGLE "INCIDENT". OBVIOUSLY THIS IS GOING TO INCREASE YOUR CRIME STATISTICS, HOWEVER IT WILL GIVE YOU A MORE DETAILED PICTURE OF YOUR ACTUAL OFFENSES BEING COMMITTED.

COLLECTION OF CRIME DATA:

IACLEA PUBLISHED A GUIDE FOR CAMPUS LAW ENFORCEMENT ADMINISTRATORS IN 1984, BY BROMLEY & TERRITO, LISTED IN THE RECORDS MANAGEMENT / CRIME ANALYSIS / EVIDENCE CONTROL SECTION A DEPARTMENTAL SELF-STUDY GUIDE THAT LISTED SEVERAL SUGGESTIONS THAT SHOULD BE CONSIDERED IN THE DEVELOPMENT OF A CAMPUS LAW ENFORCEMENT RECORD SYSTEM WHETHER IT BE A MANUAL OR AUTOMATED SYSTEM. FOLLOWING ARE SUGGESTIONS LISTED IN THE

STUDY GUIDE:

A. HAS AN EMPLOYEE OF THE DEPARTMENT BEEN GIVEN THE FULL OR PART-TIME RESPONSIBILITY AS RECORDS OFFICER?

B. ARE ALL CALLS FOR SERVICE DOCUMENTED?

C. IS OFFICER INITIATED ACTIVITY DOCUMENTED

D. IF THE DEPARTMENT HAS ONLY ONE OFFICER ON A GIVEN SHIFT, AND NO DISPATCHER, IS THE OFFICER REQUIRED TO DOCUMENT THE FOLLOWING KINDS OF INFORMATION ON AN ACTIVITY LOG: CASE NUMBER; REPORTING DATE; TIME REPORTED; TYPE OF INCIDENT/OFFENSE; BRIEF DETAILS OF INCIDENT;

COMPLAINANTS NAME, ADDRESS, AND PHONE NUMBER, ACTION TAKEN / DISPOSITION; OFFICER'S NAME?

E. IF THE DEPARTMENT HAS DISPATCHERS, ARE THEY REQUIRED TO COMPLETE A DISPATCH CARD ON EACH CALL FOR SERVICE?

F. IS A CASE NUMBER ASSIGNED CHRONOLOGICALLY TO THE DISPATCH CARD?

G. DOES THE CASE NUMBER ASSIGNED BECOME THE CENTRAL CONTROL NUMBER FOR THE REMAINING DOCUMENTATION (REPORTS, FORMS ETC.)?

H. DOES THE DISPATCH CARD CAPTURE

SIGNIFICANT INFORMATION SUCH AS DAY AND TIME CALL RECEIVED, TIME OFFICER DISPATCHED,TIME OFFICER ARRIVED AT THE INCIDENT, TIME OFFICER COMPLETED WORK AT THE INCIDENT, NAME, ADDRESS AND PHONE NUMBER OF COMPLAINANT, LOCATION OF INCIDENT, OFFICERS NAME, TYPE OF COMPLAINT / INCIDENT; TAG NUMBERS OF VEHICLES, AND OTHER APPROPRIATE AGENCY DATA?

I. ARE THE DISPATCH CARDS REVIEWED BY THE DUTY SHIFT SUPERVISOR TO INSURE ACCURACY AND COMPLETENESS?

J. HAVE THE OFFICERS AND DISPATCHERS BEEN TRAINED SO THEY UNDERSTAND THE REASONS FOR THOROUGH DOCUMENTATION AND THE RATIONAL FOR A COMPLETE RECORDS SYSTEM.

K. IS EACH OFFICER PROVIDED WITH A REPORT WRITIN MANUAL OF INSTRUCTION?

L. ARE OFFICERS REQUIRED TO COMPLETE INVESTIGATIVE REPORTS?

M. HAVE THE OFFICERS RECEIVED DEPARTMENTAL TRAINING IN REPORT WRITING.

N. DOES SOMEONE IN THE AGENCY HAVE THE RESPONSIBILITY FOR ASSIGNING CASES AND INSURING THAT FOLLOW-UP INVESTIGATIONS ARE COMPLETED IN A TIMELY FASHION?

O. IS YOUR CENTRAL RECORDS STORAGE AREA KEPT OFF-LIMITS TO ALL BUT DESIGNATED PERSONNEL?

P. IS THERE ACCESS TO PERTINENT RECORDS INFORMATION AFTER NORMAL WORKING HOURS?

Q. IS A LOG OF PERSONS ARRESTED AND / OR RECENTLY (WARNED ABOUT TRESPASSING ON) CAMPUS, MAINTAINED IN AN AREA THAT OFFICERS / DISPATCHERS HAVE 24 HOUR ACCESS TO?

R. IS A SIMILAR LOG MAINTAINED ON RECENTLY STOLEN, IDENTIFIABLE ITEMS SUCH AS OFFICE EQUIPMENT, BICYCLES, CALCULATORS, ETC?

S. ARE THE INCIDENT / OFFENSE REPORT FORMS USED BY THE DEPARTMENT SINGLE OR MULTIPLE COPY?

T. IF MULTIPLE COPY, WHO RECEIVED THE COPIES AND WHY?

U. ARE THE IMPORTANT NAMES CITED IN INCIDENT REPORTS (SUSPECTS, VICTIMS, WITNESSES, ARRESTS,ETC)LATER RECORDED ON "MASTER NAME" CARDS BY RECORDS PERSONNEL?

V. ARE THE MASTER NAME CARDS CROSS REVIEWED AT THE END OF THE SHIFT FOR COMPLETENESS AND ACCURACY?

W. DO YOU HAVE THEY CAPABILITY TO ENTER STOLEN ITEMS, MISSING PERSON'S, ETC. INTO A STATE OR NATIONAL (NCIC) NETWORK--EVEN IF YOUR DEPARTMENT IS NOT AUTHORIZED A COMPUTER?

X. DOES THE DEPARTMENT SUBMIT CRIME

DATA TO THE UNIFORM CRIME REPORT SYSTEM?

Y. IF THE DEPARTMENT DOES NOT SUBMIT TO UCR, ARE THE GUIDELINES FOR CLASSIFICATION, CLEARANCE ETC., STILL FOLLOWED"

Z. DOES THE DEPARTMENT HAVE A RECORD RETENTION SCHEDULE WHICH ALLOWS OLDER REPORTS TO BE DESTROYED OR WAREHOUSED?

RESOURCE LIST

1. Advisory Report 91-1 (Jan. 11, 1991) and
   Special Action Report 91-4, dated June 28, 1991)

   NACUBO
   1 Dupont Circle, Suite 500
   Washington, DC 20036-1178

2. Complying with the Campus Security Act - 1990
   National Association of Student Personnel
   Administrators, Inc.

   National Assoc. of Independent Colleges and
   Universities
   122-C Street, NW
   Suite 750
   Washington, DC 20001

3. Crime on campus and the Campus Security Act of
   1990:
   A guide to an effective response, Skyline Productions,
   Inc.
   801-12 Noble Street
   Anneston, Alabama 36201

4. Background Kit: The Crime Awareness & Campus
   Security Act of 1990: Strategies for Compliance, A
   Guide for Camp Security and Police Administrators.
   International Association of Campus Law Enforcement
   Administrators
   638 Prospect Ave.
   Hartford, CT 0615
   (203)233-4531

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   CLEMSON, SC. 29634

3. AARP
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6. THE NATIONAL CRIME PREVENTION COUNCIL
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8. HANDS OFF! PUBLISHING
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9. RAPE TREATMENT CENTER
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10. COLLEGE SECURITY REPORT
RUSTING PUBLICATIONS
P.O. BOX 190
PORT WASHINGTON, NY 11050

11. CAMPUS LAW ENFORCEMENT JOURNAL
IACLEA
638 PROSPECT AVE.
HARTFORD, CT 06105

12. GERALD T. ROGERS PRODUCTIONS
5215 OLD ORCHARD RD.
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13. CAMPUS CRIME PREVENTION PROGRAMS
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14. COLLEGE ADMINISTRATION PUBLICATION, INC.
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15. NASPA
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16. NATIONAL FIRE PROTECTION ASSOCIATION
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4. CARDINAL TRACKING TECHNICS, INC.
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   401 NORTH BROADWAY
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   1-800-444-6484

4. KRYPTONITE CORPORATION
   95 FREEPORT STREET
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   (617) 265-4800

5. NATIONAL COUNCIL OF JEWISH WOMEN
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   MINNEAPOLIS, MINNESOTA 55416

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1. ADVISORY REPORT 91-1 (JAN 11, 1991) AND SPECIAL ACTION REPORT 91-4, DATED (JUN3 28, 1991)

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   (202) 861-2500

2. COMPLYING WITH THE CAMPUS SECURITY ACT-1990
   NATIONAL ASSOCIATION OF STUDENT PERSONNEL ADMINISTRATORS, INC.

   NATIONAL ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES
   122-C STREET, NW
   SUITE 750
   WASHINGTON, DC 20001

3. CRIME ON CAMPUS AND THE CAMPUS SECURITY ACT OF 1990: A GUIDE TO AN EFFECTIVE RESPONSE, SKYLINE PRODUCTIONS, INC.
   801-12 NOBELE STREET
   ANNESTON, ALABAMA 36201

4. BACKGROUND KIT: THE CRIME AWARENESS AND CAMPUS SECURITY ACT OF 1990: STRATEGIES FOR COMPLIANCE, A GUIDE FOR CAMPUS SECURITY AND POLICE ADMINISTRATORS

5. "CAMPUS CRIME...BE AWARE" VIDEO
   KARL PRODUCTIONS, INC.
   316 ADDISON
   ELMHURST, IL 60126

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